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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2026**
Toshiyuki ARITAKE : Attorney Docket No. 2005_0935A
Serial No. 10/540,752 : Group Art Unit 1796
Filed August 26, 2005 : Examiner Timothy J. Kugel

POLYLACTIC ACID POLYMER : **Mail Stop: Amendment**
COMPOSITION FOR THERMOFORMING,
POLYLACTIC ACID POLYMER SHEET
FOR THERMOFORMING, AND
THERMOFORMED OBJECT
OBTAINED THEREFROM

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

FOURTH INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☒ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☒ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☒ that each item of information contained in this Information Disclosure Statement was first cited in any communication (copy enclosed with English translation) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☒ a foreign patent office Office Action (Decision of Rejection, with English translation) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☒ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office Office Action (Decision of Rejection, with English translation) citing one or more of the references is enclosed.
6. ☒ Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication (Decision of Rejection, with English translation) from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

7. ☒ Comments:

The communication and foreign patent office Office Action referred to above in items 2a, 4b and 5 is a Decision of Rejection mailed December 9, 2008 in connection with Japanese Application No. 2002-376718, which is a counterpart application corresponding to the present U.S. application. The JP '074 and JP '676 references cited in the Decision of Rejection are cited on the attached PTO-1449 form, along with an English translation of the Decision of Rejection.

The JP '521 and JP '107 references cited in the Decision of Rejection have already been cited in Applicant's earlier IDS of October 30, 2008. The JP '345 reference in the Decision of Rejection was cited in Applicant's IDS of June 24, 2005.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Toshiyuki ARITAKE

By:



Michael R. Davis

Registration No. 25,134

Attorney for Applicant

MRD/pth
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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